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1651  
MS  
J. J. Thorne

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kevin J. Thorne  
James J. Benedict

Attorney Docket: SBI-073

RECEIVED

S/N: 09/746,921

MAY 02 2002

Filed: 12/22/00

Group 1651

TECH CENTER 1600/2900

For: Synthetic Alternatives to  
Demineralized Bone Matrix  
Additives

Examiner: Harry J. Guttman

Assistant Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL ELECTION AND RESPONSE TO OFFICE  
ACTIONS DATED NOVEMBER 01, 2001 AND FEBRUARY 14, 2002**

This paper is filed in response to the Office Action mailed February 14, 2002 01, 2001 and to the subsequent Interview conducted April 01, 2002. It is believed that no fee is due. If this is in error, please charge any such fee(s) to Sulzer Medica Deposit Account No. 09-0473.

**REMARKS**

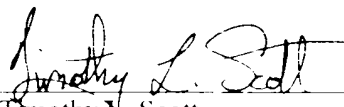
As discussed with the Examiner in the Interview of April 01, 2002, Applicants made a bona fide attempt to respond to the Office Action of November 01, 2001 by an election mailed December 20, 2001. Two months later, Applicants received the non-responsive letter February 14, 2002. As the Examiner indicated in the Interview summary (enclosed), the non-responsive letter was inadvertently sent as non-bona fide but should have been sent as bona fide. The Examiner has reset the time for response to the non-responsive letter.

Applicants are uncertain of the shortened period intended by the Examiner for the response. If a three month period from the February 14, 2002 letter is intended, then no extension fee is due. If a one-month shortened period is intended, Applicants hereby request a two-month extension of time, charged to the above-indicated deposit account, to extend the period for response to May 14, 2002.

In further response to the Office Actions of November 01, 2001 and February 14, 2002, Applicants reaffirm the restriction election of **a bone growth composition, claims 1-10 (Group I)**. Applicants further elect, in response to the species election specifically referred to in the Office Action of February 14, 2002, **the bone growth protein BMP-2**.

Respectfully submitted,

04/16/02  
Date

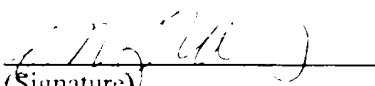
  
Timothy L. Scott  
Attorney for Assignee  
Reg. No.: 37,931

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
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on April 16, 2002  
(Date)

Amy Lewis  
(Name of person making deposit)

  
(Signature)